



Attorney Docket No. 16930-0008-11

## DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **COMPOSITIONS AND METHODS FOR THERAPEUTIC USE** the specification of which    is attached hereto or   X   was filed on   July 8, 1997   as Application No.   08/889,355   and was amended on    (if applicable).

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign applications(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

### Prior Foreign Application(s)

Country	Application No.	Date of Filing	Priority Claimed Under 35 USC 119
			Yes <u>  </u> No <u>  </u>
			Yes <u>  </u> No <u>  </u>

I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below:

Application No.	Filing Date

I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application No.	Date of Filing	Status
08/584,077	January 8, 1996	<u>  X  </u> Patented <u>  </u> Pending <u>  </u> Abandoned
		<u>  </u> Patented <u>  </u> Pending <u>  </u> Abandoned

APR 09 1999  
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**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

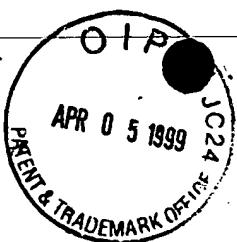
William M. Smith, Reg. No. 30,223  
 Kevin L. Bastian, Reg. No. 34,774  
 Timothy L. Smith, Reg. No. 35,367  
 Edward J. Keeling, Reg. No. 20,675

Send Correspondence to: <b>Timothy L. Smith TOWNSEND and TOWNSEND and CREW LLP Two Embarcadero Center, 8th Floor San Francisco, CA 94111-3834</b>	Direct Telephone Calls to: (Name, Reg. No., Telephone No.)  <b>Name: Timothy L. Smith Reg. No.: 35,367 Telephone: 415-576-0200</b>
--	---

Full Name of Inventor 1	Last Name <b>Engler</b>	First Name <b>Heidrun</b>	Middle Name or Initial	
Residence & Citizenship	City <b>San Diego</b>	State/Foreign Country <b>California</b>	Country of Citizenship <b>Germany</b>	
Post Office Address	Post Office Address <b>4547 DaVinci Street</b>	City <b>San Diego</b>	State/Country <b>California</b>	Zip Code <b>92130</b>
Full Name of Inventor 2	Last Name <b>Nagabhushan</b>	First Name <b>Tattanahalli</b>	Middle Name or Initial <b>L.</b>	
Residence & Citizenship	City <b>Parsippany</b>	State/Foreign Country <b>New Jersey</b>	Country of Citizenship <b>U.S.A.</b>	
Post Office Address	Post Office Address <b>3 Sunset Lane</b>	City <b>Parsippany</b>	State/Country <b>New Jersey</b>	Zip Code <b>07054</b>
Full Name of Inventor 3	Last Name <b>Youngster</b>	First Name <b>Stephen</b>	Middle Name or Initial <b>Kenneth</b>	
Residence & Citizenship	City <b>Piscataway</b>	State/Foreign Country <b>New Jersey</b>	Country of Citizenship <b>U.S.A.</b>	
Post Office Address	Post Office Address <b>213 Runyon Avenue</b>	City <b>Piscataway</b>	State/Country <b>New Jersey</b>	Zip Code <b>08854</b>

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1 <i>Heidrun Engler</i> <b>Heidrun Engler</b>	Signature of Inventor 2 <i>Tattanahalli</i> <b>Tattanahalli L. Nagabhushan</b>	Signature of Inventor 3 <b>Stephen Kenneth Youngster</b>
Date <i>11/11/98</i>	Date <i>11/18/98</i>	Date



Attorney Docket No. 16930-0008-11

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### Prior Foreign Application(s)

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		<u>  </u> Patented <u>  </u> Pending <u>  </u> Abandoned

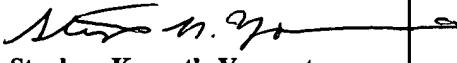
**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

William M. Smith, Reg. No. 30,223  
 Kevin L. Bastian, Reg. No. 34,774  
 Timothy L. Smith, Reg. No. 35,367  
 Edward J. Keeling, Reg. No. 20,675

Send Correspondence to: <b>Timothy L. Smith TOWNSEND and TOWNSEND and CREW LLP Two Embarcadero Center, 8th Floor San Francisco, CA 94111-3834</b>	Direct Telephone Calls to: (Name, Reg. No., Telephone No.)  <b>Name: Timothy L. Smith Reg. No.: 35,367 Telephone: 415-576-0200</b>
--	---

Full Name of Inventor 1	Last Name <b>Engler</b>	First Name <b>Heidrun</b>	Middle Name or Initial	
Residence & Citizenship	City <b>San Diego</b>	State/Foreign Country <b>California</b>	Country of Citizenship <b>Germany</b>	
Post Office Address	Post Office Address <b>4547 DaVinci Street</b>	City <b>San Diego</b>	State/Country <b>California</b>	Zip Code <b>92130</b>
Full Name of Inventor 2	Last Name <b>Nagabhushan</b>	First Name <b>Tattanahalli</b>	Middle Name or Initial <b>L.</b>	
Residence & Citizenship	City <b>Parsippany</b>	State/Foreign Country <b>New Jersey</b>	Country of Citizenship <b>U.S.A.</b>	
Post Office Address	Post Office Address <b>3 Sunset Lane</b>	City <b>Parsippany</b>	State/Country <b>New Jersey</b>	Zip Code <b>07054</b>
Full Name of Inventor 3	Last Name <b>Youngster</b>	First Name <b>Stephen</b>	Middle Name or Initial <b>Kenneth</b>	
Residence & Citizenship	City <b>Piscataway</b>	State/Foreign Country <b>New Jersey</b>	Country of Citizenship <b>U.S.A.</b>	
Post Office Address	Post Office Address <b>213 Runyon Avenue</b>	City <b>Piscataway</b>	State/Country <b>New Jersey</b>	Zip Code <b>08854</b>

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Signature of Inventor 1  <b>Heidrun Engler</b>	Signature of Inventor 2  <b>Tattanahalli L. Nagabhushan</b>	Signature of Inventor 3   <b>Stephen Kenneth Youngster</b>
Date  <b>10/28/98</b>	Date	Date  <b>10/28/98</b>

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Assistant Commissioner for Patents,  
Washington, D.C. 20231,

on

1 April 1999

TOWNSEND and TOWNSEND and CREW LLP

By Malinda A. Gejt



PATENT

Attorney Docket No. 016930-000811US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Heidrun ENGLER *et al.*

Serial No.: 08/889,355

Filed: July 8, 1997

For: COMPOSITIONS AND METHODS  
FOR THERAPEUTIC USE

Examiner: not yet assigned

Art Unit: not yet assigned

**STATEMENT OF STEPHEN  
KENNETH YOUNGSTER**

Assistant Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

I, Stephen Kenneth Youngster, state that it was through error without deceptive intent that I was not named as an inventor in the above-identified patent application.

Date: 10/28/98

Stephen Kenneth Youngster

Stephen Kenneth Youngster



I hereby certify that this correspondence is being  
deposited with the United States Postal Service  
as first class mail in an envelope addressed to:  
Assistant Commissioner for Patents,  
Washington, D.C. 20231,

on

1 April 1999

TOWNSEND and TOWNSEND and CREW LLP

By Alminda A. Dajot

PATENT  
Attorney Docket No. 016930-000811US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Heidrun ENGLER *et al.*

Serial No.: 08/889,355

Filed: July 8, 1997

For: COMPOSITIONS AND METHODS  
FOR THERAPEUTIC USE

Examiner: not yet assigned

Art Unit: not yet assigned

**CONSENT OF ASSIGNEE FOR  
CORRECTION OF  
INVENTORSHIP UNDER  
37 CFR § 1.48**

Assistant Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

As assignee of the above-identified application, CANJI, INC. hereby consents to amending the subject application to add Stephen Kenneth Youngster as a joint inventor of the subject application.

CANJI, INC.

Date: 11/18/99

By: *John*

Name: T.L. Nagabhushan, Ph.D., FCIC

Title: Vice President

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Attorney Docket No. 16930-0008-11

### POWER OF ATTORNEY BY ASSIGNEE

Canji, Inc. is one of the Assignees of the invention entitled: COMPOSITIONS AND METHODS FOR THERAPEUTIC USE, the specification of which        is attached hereto or   X   was filed on July 8, 1997 as Application Serial No. 08/889,355.

Assignee hereby appoints the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

William M. Smith, Reg. No. 30,223

Kevin L. Bastian, Reg. No. 34,774

Timothy L. Smith, Reg. No. 35,367

Edwrd J. Keeling, Reg. No. 20,675

Send Correspondence to:

Timothy L. Smith

TOWNSEND and TOWNSEND and CREW LLP

Two Embarcadero Center, 8th Floor

San Francisco, CA 94111-3834

Direct Telephone Calls to:

(Name, reg. no., tele. no.)

Timothy L. Smith

Reg. No. 35,367

(415) 576-0200

Date: 11/18/98

By: T.L.N.  
(Signature)

Name: T.L. Nagabhushan, Ph.D., FCIC  
Title: Vice President

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**CERTIFICATE UNDER 37 C.F.R. § 3.73(b)**

Applicant: Heidrun Engler, Tattanahalli L. Nagabhushan and Stephen Kenneth Youngster

Application No.: 08/889,355 Filed: July 8, 1997

For: COMPOSITIONS AND METHODS FOR THERAPEUTIC USE

Canji, Inc., a Delaware corporation

(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

certifies that it is one of the assignees of the entire right, title and interest in the patent application identified above by virtue of either:

A.  An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame(s) \_\_\_\_\_, or for which a copy thereof is attached.

OR

B.  A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

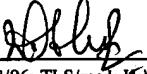
The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date : 11/19/99

Name : T. L. Nagabhushan, Ph.D., FCIC

Title : Vice President

Signature : 

**ASSIGNMENT OF PATENT APPLICATION**

JOINT

WHEREAS, Heidrun Engler, a citizen of Germany residing at 4547 DaVinci Street, San Diego, California 92130 and Tattanahalli L. Nagabhushan, a citizen of the U.S.A. residing at 3 Sunset Lane, Parsippany, New Jersey 07054, hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below identified application for United States Letters Patent:

Title of the Invention: **COMPOSITIONS AND METHODS FOR THERAPEUTIC USE**

Date(s) of execution of Declaration: \_\_\_\_\_

Filing date: July 8, 1997 Application No.: 08/889,355; and

WHEREAS, Canji, Inc. a Delaware corporation, located at 3030 Science Park Road, San Diego, California 92121, hereinafter referred to as "Assignee," is desirous of acquiring an interest in the invention and application and in any Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

NOT FOR RECORDATION

IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

Date: 11/11/98

Heidrun Engler  
Heidrun Engler

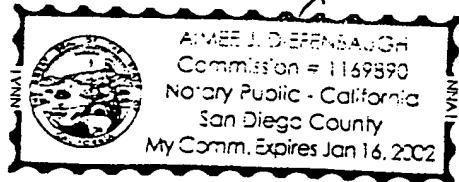
STATE OF California

COUNTY OF San Diego

On November 11, 1998, before me, Aimee J. Diefenbaugh (notary public), personally appeared Heidrun Engler, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, execute the instrument.

WITNESS my hand and official seal.

Signature Aimee J. Diefenbaugh (Seal)



Date: 11/18/98

Tattanahalli L. Nagabhushan

STATE OF California

COUNTY OF San Diego, Santa Clara

On November 11, 1998, before me, Nancy J. McFarling (notary public), personally appeared Tattanahalli L. Nagabhushan, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, execute the instrument.

WITNESS my hand and official seal.

Signature Nancy J. McFarling (Seal)

ASSIGN.MRG 9/96  
TLS/mod: H:\work\TLS\CAN8-11.ASN

